



COHEN MILSTEIN

Matthew A. Smith
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November 25, 2013

The Hon. Laura Taylor Swain
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street.
New York, NY 10007-1312

The parties may proceed based on their understandings of the pretrial order's requirements as reflected in their letter. However, the date of the final pre-trial conference before Judge Swain as set forth in paragraph 9 of the Pre-Trial Scheduling Order is hereby adjourned from January 10 to March 28, 2014 at 3:00 p.m. Accordingly, the due dates discussed in this letter are adjourned as well. So ordered this 27th day of November, 2013.


GABRIEL W. CORENSTEIN
United States Magistrate Judge

RE: *Severstal Wheeling, Inc. Retirement Committee et al. v. WPN Corporation et al*,
No. 1:10-cv-00954-LTS-GWG

Dear Judge Swain:

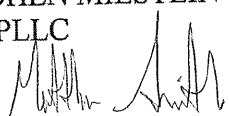
Counsel for the parties jointly submit this letter to ensure that their understanding of the Court's Pre-Trial Scheduling Order (D.E. # 32) comports with the Court's order.

Paragraph 5 of the Pre-Trial Scheduling Order requires the parties to exchange copies of proposed trial exhibits and to "make the disclosures required by Rule 26(a)(3)" no later than forty-five days before the Final Pre-Trial Conference. Paragraph 6 requires the parties to file with the Court a Joint Pre-Trial Statement containing the parties' trial exhibit lists, witness lists, deposition designations, and all relevant objections, seven days in advance of the Final Pre-Trial Conference. As a result, the Parties both understand that the Rule 26(a)(3) disclosures must be exchanged 45 days before the Final Pre-Trial Conference, but will not be filed with the Court until 7 days before the Pre-Trial Conference as part of their Joint Pre-Trial Statement.

Based on this understanding, absent an order otherwise, the Parties have or will make their disclosures to each other on or before November 26, 2013, and any response or objections 14 days later, but will not file these disclosures until January 3 (i.e. 7 days before the Final Pre-Trial Conference on January 10, 2014).

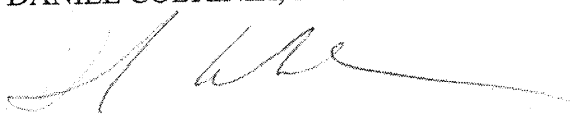
Sincerely,

COHEN MILSTEIN SELLERS & TOLL
PLLC


Matthew A. Smith
Counsel for Plaintiffs

Sincerely,

DANIEL COBRINIK, P.C.


Daniel Cobrinik
Counsel for Defendants